

By: West

S.B. No. 284

A BILL TO BE ENTITLED

AN ACT

1
2 relating to service of citation in connection with an application
3 for an expedited court order allowing the foreclosure of a contract
4 lien.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 17.031, Civil Practice and Remedies
7 Code, is amended to read as follows:

8 Sec. 17.031. EXPEDITED FORECLOSURE PROCEEDINGS. For a
9 power of sale exercised by the filing of an application for an
10 expedited court order allowing the foreclosure of a contract lien
11 under Rule 736, ~~[the]~~ Texas Rules of Civil Procedure ~~[736]~~:

12 (1) citation must be served on each person who,
13 according to the records of the holder of the debt secured by the
14 lien, is obligated to pay the debt; and

15 (2) [7] service of citation shall be completed in
16 accordance with Rule 736 or 106, Texas Rules of Civil Procedure, or
17 in any other manner provided for petitions under the Texas Rules of
18 Civil Procedure.

19 SECTION 2. The change in law made by this Act applies only
20 to an application for an expedited court order allowing the
21 foreclosure of a contract lien under Rule 736, Texas Rules of Civil
22 Procedure, filed on or after the effective date of this Act. An
23 application filed before the effective date of this Act is governed
24 by the law as it existed immediately before the effective date of

1 this Act, and that law is continued in effect for that purpose.

2 SECTION 3. This Act takes effect September 1, 2015.